

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MOORE & ASSOCIATES, INC.,)
)
Plaintiff,)
)
v.) Case No. 3:05-0167
) Judge Echols
JONES & CARTER, INC.,)
)
Defendant.)

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, Defendant Jones & Carter, Inc.'s Motion for Judgment on the Pleadings (Docket Entry No. 26) is hereby GRANTED in the following respects:

(1) Defendant Jones & Carter has no duty to defend Plaintiff Moore & Associates in the arbitration action presently pending in Houston, Texas; and

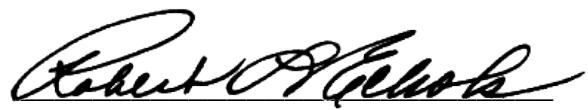
(2) Jones & Carter's liability to Moore & Associates as a result of Jones & Carter's negligent acts, errors, or omissions is limited to the amount Moore & Associates paid to Jones & Carter for Jones & Carter's engineering services.

The Court hereby DECLARES that Jones & Carter's liability to Moore & Associates as a result of Jones & Carter's negligent acts, errors, or omissions is limited to \$18,109.98.

Within fifteen (15) days of the date of entry of this Order, counsel for the parties shall file with the Court a Joint Status Report indicating whether any further action needs to be taken by

the Magistrate Judge in preparing this case for trial or whether this Order resolves the controversies between the parties.

IT IS SO ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE